

HOUSE JOINT MEMORIAL 66

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING THE OFFICE OF THE ATTORNEY GENERAL TO CREATE A TASK FORCE TO STUDY THE VIABILITY AND MERIT OF ALLOWING AUDIO-VIDEO TECHNOLOGY IN COURT PROCEEDINGS.

WHEREAS, advances in technology make it possible for attorneys to examine witnesses, represent clients and appear at trials and in other court proceedings utilizing an audio-videoconference format; and

WHEREAS, courts have, in some instances, allowed witnesses to testify at trials by means of a telephone; and

WHEREAS, a court appearance through videoconference technology is vastly superior to a telephonic appearance of an attorney or a witness because it allows the court and all persons involved in the trial or other courtroom proceeding to see, as well as to hear, the attorney or witness; and

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1 WHEREAS, allowing videoconference technology to be used in
2 courtroom settings can decrease the cost of court proceedings
3 by decreasing the cost of expert witness testimony and attorney
4 fees; and

5 WHEREAS, state and federal courts are increasingly using
6 videoconference technology to hold proceedings in criminal
7 cases; however, little information is available about the
8 extent of its use, the proceedings for which it is or could be
9 used and how it is or could be implemented; and

10 WHEREAS, little is known about how videoconferencing
11 affects the behavior or perceptions of participants in a way
12 that may violate a defendant's civil rights;

13 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
14 STATE OF NEW MEXICO that the office of the attorney general be
15 requested to create a task force to study the viability and
16 merit of allowing audio-video technology in court proceedings;
17 and

18 BE IT FURTHER RESOLVED that the task force include a
19 member representing municipal law enforcement, appointed by the
20 New Mexico municipal league; a member representing county law
21 enforcement, appointed by the New Mexico association of
22 counties; a representative of the public defender department;
23 appropriate advocacy groups with an interest in issues of crime
24 or justice; and additional members as deemed necessary by the
25 task force; and

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